

**SAN DIEGO CITY COUNCIL
AGENDA FOR THE
SPECIAL COUNCIL MEETING OF
MONDAY, MAY 2, 2005 AT 11:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

The Mayor is calling a Special Meeting for Monday, May 2, 2005, from 11:00 a.m. to 4:00 p.m. in the City Council Chambers on the 12th Floor of the City Administration Building, 202 C Street, San Diego California.

The agenda for the Special Meeting is the following:

ITEM-700: ROLL CALL

CLOSED SESSION NOTICES, DISCLOSURE, AND PUBLIC COMMENT

In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meeting, adopted on February 28, 2005, this portion of the agenda is reserved for City Attorney comment, public comment, and City Council discussion of the content of the Special Closed Session Docket.

The Special Closed Session will commence immediately following the conclusion of the regular open session meeting that day. The Closed Session may continue into Tuesday, May 3, 2005.

NOTE: Members of the public wishing to address the City Council on any item on the Special Closed Session Agenda should reference the closed session item number from the Special Closed Session Docket on the speaker slip. Speakers may speak “in favor” or “in opposition” to the subject.

Information Item - No Action Required - The City Council shall:

1) Consider any oral report from the City Attorney or City negotiators; 2) Accept testimony from any member of the public wishing to address the City Council on any item appearing on the Closed Session Agenda; 3) Questions and discussion by Council Members, limited to the facts as disclosed by the City Attorney or City negotiators and the basis or justification for consideration of the matter in closed session 4) Refer matters discussed to closed session.

ADOPTION AGENDA, DISCUSSION, HEARINGS

SPECIAL HEARINGS:

ITEM-701: Consideration of the question of whether the upcoming Mayoral vacancy shall be filled by appointment or special election, pursuant to Municipal Code Section 27.0705 (A).

(See City Clerk Report No. 05-02; City Attorney Report dated 4/29/2005; and memorandum from City Attorney dated 4/29/2005.)

NOTE: Discussion item may result in specific action by the Council including the calling of a special election (see Subitems A and B). Further Council discussion and input may be given on any issues related to filling the Mayoral vacancy.

COUNCIL DISCUSSION MAY RESULT IN THE FOLLOWING ACTIONS:

Introduce and adopt the Ordinance in Subitem A and adopt the resolution in Subitem B:

Subitem-A: (O-2005-127)

Introduction and adoption of an Ordinance calling a Special Municipal Election in the City of San Diego to fill Mayoral vacancy.

Subitem-B: (R-2005-1128)

Authorizing the Registrar of Voters to conduct the election and canvass the returns of the Special Municipal Election in the City of San Diego;

Requesting the Registrar of Voters to issue to all officers of the County charged with duties pertaining to the California State General Election appropriate instructions to take any and all steps necessary for holding the election;

Requesting the Board of Supervisors of the County of San Diego to authorize and direct the Registrar of Voters of the County of San Diego to perform the following:

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

SPECIAL HEARINGS: (Continued)

ITEM-701: (Continued)

Subitem-B: (Continued)

- (a) Furnish a tabulation of the number of registered voters in each Council district by precinct;
- (b) Examine and verify the signatures on nominating petitions;
- (c) Canvass the returns of the election, including absent voter ballots;
- (d) Furnish a tabulation of the number of votes given in each precinct; and
- (e) Furnish a tabulation of the number of votes given in each Council district by precinct.

Directing the City Clerk of the City of San Diego to file a certified copy of this resolution with the Board of Supervisors and Registrar of Voters of the County of San Diego;

Authorizing the City Auditor and Comptroller to reimburse the County of San Diego in full for the services performed by the Registrar of Voters for the City of San Diego in connection with the election services herein described, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Declaring that the City of San Diego agrees to indemnify and to save free and harmless the County, its officers, agents, and employees from expense or liability, including reasonable attorney's fees, as the result of an election contest initiated pursuant to the California Elections Code Sections 16000 through 16900.

ADJOURNMENT